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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91219335
Party	Defendant Braniff Holdings, Inc.
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Submission	Answer
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Date	01/30/2015
Attachments	Braniff Holdings Inc_Opposition Response_Official.pdf(185666 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Braniff International Property Company,  
Opposer,

Opposition No. 91219335

v.

Braniff Holdings, Inc.,  
Applicant.

Marks:  and BRANIFF  
INTERNATIONAL AIRWAYS,

**ANSWER TO NOTICE OF OPPOSITION**

The following is the Answer of Applicant Braniff Holdings, Inc.'s ("Applicant"), owner of Federal Trademark Application Serial Nos. 86278358 and 86319634 for the marks  and BRANIFF INTERNATIONAL AIRWAYS (hereinafter "Applicant's Marks"), by and through its President, Anthony J. Rossi, to the Notice of Opposition filed on November 13, 2014 by Braniff International Property Company (hereinafter "Opposer"), and assigned Opposition No. 91219335.

1. Applicant is without knowledge or information sufficient to form a belief as to the truth of allegations contained in Paragraphs 1 through 5 of the Notice of Opposition. Since Applicant can neither admit nor deny the paragraph as written, Applicant must deny.

2. Applicant is without knowledge or information sufficient to form a belief as to the truth of allegations contained in Paragraphs 1 through 13 of the Notice of Opposition. Since Applicant can neither admit nor deny the paragraph as written, Applicant must deny.

FURTHERMORE, Applicant sets forth the following in support of its position:

3. Applicant's mark is unique and distinctive.
4. The wording in Applicant's mark and Opposer's mark are different.
5. Applicant's mark and Opposer's mark are different in appearance.

6. Applicants' mark and Opposer's mark create different commercial impressions.
7. Opposer's mark contains the word "PROPERTY" not present in Applicant's mark.
8. Applicant's mark contains the word "BI" not present in Opposer's mark.
9. Applicant's mark contains the word "AIRWAYS" not present in Opposer's mark.
10. Applicant's application contains a disclaimer of "INTERNATIONAL."
11. "INTERNATIONAL" is a common phrase in relation to non-domestic destinations .
12. "COMPANY" is registered in numerous trademarks for various goods and services not owned by Opposer.
13. Applicant's services and Opposer's services are not marketed though the same channels of trade.
14. Opposer does not provide air transportation services.
15. Applicant's mark and Opposer's mark are not likely to cause confusion, mistake or deception to purchasers as to the source of Opposer's goods or services.
16. Applicant's mark and Opposer's mark are not likely to disparage or falsely suggest a trade connection between Opposer and Applicant.

Applicant hereby appoints Anthony J. Rossi, a director of the board with:

Braniff Holdings, Inc.  
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to act in the matter of the opposition identified above, to prosecute said opposition, to transact all business in the Patent and Trademark Office, and in the United States courts connected with the opposition, to sign its name to all papers which are hereinafter to be filed in connection therewith, and to receive all communications relating to the same.

WHEREFORE, Applicant prays that the Trademark Trial and Appeal Board deny the Opposition and permit registration of Applicant's proposed mark in Application Serial Numbers 86278358 and 86319634 in the United States Patent and Trademark Office.

Dated this 30th day of January, 2014.



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Applicant

**CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of ANSWER TO NOTICE OF OPPOSITION has been served on the following by delivering said copy on January 30, 2014, via First Class Mail, postage prepaid, to counsel for Opposer at the following address:

MATTHEW H SWYERS  
THE TRADEMARK COMPANY PLLC  
344 MAPLE AVENUE WEST, PBM 151  
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UNITED STATES  
[mwyers@thetrademarkcompany.com](mailto:mwyers@thetrademarkcompany.com)

By: \_\_\_\_\_

  
Anthony J. Rossi, President  
Braniff Holdings, Inc.